

PLEASE NOTE: In most BUT NOT ALL instances, the page and line numbering of bills on this web site correspond to the page and line numbering of the official printed version of the bills.

REFERENCE TITLE: corrections department; water facilities

State of Arizona  
House of Representatives  
Forty-sixth Legislature  
Second Regular Session  
2004

## **HB 2302**

Introduced by  
Representative Jayne

**AN ACT**

**AMENDING TITLE 41, CHAPTER 11, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 9;  
RELATING TO THE STATE DEPARTMENT OF CORRECTIONS' WATER AND SEWAGE FACILITIES.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 41, chapter 11, Arizona Revised Statutes, is amended  
3 by adding article 9, to read:

4 ARTICLE 9. WATER AND SEWAGE FACILITIES

5 41-1691. Water and sewage facilities; sale and lease-purchase;  
6 corrections employee pay fund; uses

7 A. THE DIRECTOR SHALL ENTER INTO CONTRACTS PURSUANT TO CHAPTER 23 OF  
8 THIS TITLE AND SECTION 41-791.02 FOR THE SALE AND LEASE-PURCHASE OVER A  
9 PERIOD OF FORTY YEARS OF ALL WATER AND SEWAGE FACILITIES OWNED BY THE  
10 DEPARTMENT. MONIES RECEIVED FROM THE SALES SHALL BE DEPOSITED, PURSUANT TO  
11 SECTIONS 35-146 AND 35-147, IN THE CORRECTIONS EMPLOYEE PAY FUND ESTABLISHED  
12 BY SUBSECTION C OF THIS SECTION.

13 B. THE CONTRACTS SHALL PROVIDE FOR THE PRIVATE COMPANIES TO MAINTAIN  
14 AND OPERATE THE WATER AND SEWAGE FACILITIES AT THE LEVELS AND UNDER THE  
15 CONDITIONS REQUIRED BY THE DEPARTMENT. THE DEPARTMENT SHALL INCLUDE IN ITS  
16 ANNUAL BUDGET REQUEST AMOUNTS NECESSARY TO MAKE LEASE-PURCHASE PAYMENTS THAT  
17 ALLOW FOR FULL OWNERSHIP OF THE FACILITIES BY THE DEPARTMENT AT THE END OF  
18 THE FORTY YEAR PERIOD.

19 C. THE CORRECTIONS EMPLOYEE PAY FUND IS ESTABLISHED CONSISTING OF  
20 MONIES RECEIVED BY THE DEPARTMENT FROM THE SALE OF THE WATER AND SEWAGE  
21 FACILITIES PURSUANT TO SUBSECTION A OF THIS SECTION. SUBJECT TO LEGISLATIVE  
22 APPROPRIATION, MONIES IN THE FUND SHALL BE USED BY THE DIRECTOR FOR PAY  
23 INCREASES AND HIRING OF NEW EMPLOYEES BY THE DEPARTMENT. MONIES IN THE FUND  
24 ARE EXEMPT FROM THE PROVISIONS OF SECTION 35-190 RELATING TO LAPSING OF  
25 APPROPRIATIONS.